



# City of Seattle

Gregory J. Nickels, Mayor

## Seattle Public Utilities

Ray Hoffman, Acting Director

### MEMORANDUM

**DATE:** October 30, 2009

**TO:** Washington State Department of Ecology  
Seattle Public Utility SEPA File

**FROM:** Joy Keniston-Longrie, MPH, REHS, RS  
SEPA Responsible Official *[Signature]*

**SUBJECT:** Ballard Roadside Raingardens Proposed Project

This memo documents that Seattle Public Utilities' (SPU) determination of non-significance (DNS) for the Ballard Roadside Raingardens project was advertised, and public comments were received from September 14, 2009 through September 28, 2009. Responses to the comments were addressed in a project information document sent to each person who submitted comments. The comments did not cause SPU to change the DNS for the project. See Attachment 1.

SPU received two timely DNS appeals. Both appellants live on the 8300 block of 30th Avenue NE (8300 block). In order to meet the ambitious schedule associated with receiving federal stimulus funding for the project, SPU removed the 8300 block from the project. Based on SPU's decision to remove the 8300 block, the appellants withdrew their appeal. See Attachment 2. The appeal was then dismissed by the Hearing Examiner. See Attachment 3.

Based on the above information, the SEPA checklist, and all other documentation and information in the project file, the SEPA Responsible Official, Joy Keniston-Longrie, concludes that the DNS for this project remains in effect and the SEPA review process is complete.

Attachment 1: Frequently Asked Questions Information Document

Attachment 2: Withdrawal and Dismissal from SEPA appellants, October 26, 2009

Attachment 3: Order of Dismissal, October 27, 2009





## **Ballard Roadside Raingardens**

### **Frequently Asked Questions**

October 13, 2009

#### **How much will this project impact on-street parking?**

SPU has minimized the loss of on-street parking and its impact on homeowners, by locating raingardens on blocks with access to alley parking and using, where possible, spaces at the ends of the blocks where parking is already prohibited. Parking impacts are limited to portions of: the 7700 block of 29<sup>th</sup> Ave NW, the 7500 block of 31<sup>st</sup> Ave NW, and NW 77<sup>th</sup> St from 28<sup>th</sup> Ave NW to 30<sup>th</sup> Ave NW. We estimate a total of 21 on-street parking spaces will be lost as a result of this project.

#### **Why aren't the project impacts more equally distributed, instead of being concentrated on one end of the block?**

Because the goal of this project is to capture stormwater, the facilities are generally located at the downstream end of the block where the stormwater is more concentrated.

#### **How much will this project impact access to the front of my house from the street?**

In locating the raingardens, the goal is to ensure that at least one access point from the street was provided along the front of each property.

#### **I currently have problems with basement flooding. Will this project result in increased basement flooding in this area?**

Based on our knowledge of groundwater flow, the size and location of the proposed facilities relative to basements and our past experience with constructing natural drainage projects in soil conditions similar to those found in Ballard, we believe that our project will not influence basement flooding. We are installing groundwater monitoring wells in this area and will continue monitoring the groundwater throughout the coming rainy season to confirm our analysis and prior experience that the raingardens will not cause basement flooding. If the data we collect indicates otherwise, we will modify our designs to eliminate the possibility of causing basement flooding.

**How can the infiltration tests results be valid when they were completed during the hottest and driest month of the year?**

Because the soils in the infiltration test pit are thoroughly saturated before infiltration data is collected, SPU geotechnical experts have determined that the infiltration testing method is valid, independent of the season.

**Will this project result in increased sewage backups in this area?**

This project will actually reduce the potential for sewage backups in this area by removing stormwater from the combined sewer system and infiltrating it into the ground. Because the project area drains to a combined sewer system, which means that it conveys all the stormwater and wastewater in the same pipes to the West Point Treatment Plant, removing stormwater from the system creates more capacity for the remaining flows.

**What happens to the water when the raingarden overflows? Will it flow onto my property?**

When the raingardens reach their capacity, the water will overflow out of an outlet placed in the down-hill end of the raingarden allowing the water to flow to the curb and down the gutter line, just as it did previously, and into the existing stormwater inlet. Water will not flow onto private property from the raingardens.

**Why do you have to install raingardens to fix the combined sewer overflow problem? Why can't you just fix the sewer system?**

SPU has looked at the range of feasible options for reducing CSOs to meet our regulatory requirement, including such things as large storage facilities, separating stormwater from the wastewater into its own pipe system, and the use of green technologies, such as raingardens and permeable pavement. In determining the best mix of options, SPU evaluated both cost effectiveness and the potential for multiple benefits in order to get the most out of the ratepayer's money. For the Ballard CSO basin, the proposed raingardens were found to meet both of these objectives. For more general information about the City of Seattle's wastewater and drainage systems policies and programs, please visit the following address:

[http://www.cityofseattle.net/util/About\\_SPU/Drainage\\_&\\_Sewer\\_System/Plans/index.asp](http://www.cityofseattle.net/util/About_SPU/Drainage_&_Sewer_System/Plans/index.asp).

**What will happen to existing plants and trees on blocks where a new planting strip is planned?**

Where a new planting strip is planned, property owners may wish to transplant their existing plantings or trees to a different location on their property this fall when the weather is most conducive to transplanting. Please contact SPU if you are not sure whether your existing plantings might be impacted by this project.

**Who will maintain the raingardens once they are planted?**

SPU will be responsible for ensuring the establishment and long term function of healthy vegetation, including weeding, and watering within the raingardens. SPU will select hardy, drought-tolerant plants for these areas, ensuring that maintenance needs are kept to a minimum. Homeowners are welcome to augment the City's maintenance efforts if they prefer an exceptionally high level appearance.

**Will this project lower my property value?**

Property owners in close proximity to natural drainage projects report that their property values have increased as a result. Of course there are numerous factors that contribute to the value of a home or property, but in general the plantings are viewed as an enhancement.

**Will a covenant be placed on my property because of the raingarden in front of my house?**

A covenant will not be placed on any homeowner's property because of this project.

**Will I be liable for injuries if someone hurts themselves in the raingarden in front of my property?**

The raingardens are SPU facilities and liability arising out of SPU raingarden activities would rest with SPU. We have had no injuries to date on past raingarden projects in the planting strip.

**Will these projects impact the potential for West Nile Virus?**

No. All of the raingardens are designed to drain within 72 hours. Mosquitoes need at least 5 days to breed.

**Will these projects impact my children's use of the planting strip as a play area?**

The planting strip is part of the public right-of-way. If a raingarden is proposed in the planting strip, it will no longer be suitable as a play area. However, this project will not impact any private yards.

**I have concerns about zoning and density in the neighborhood.**

Zoning and density issues are outside the scope of this project. Please contact Andy Kim of the Department of Planning and Development at 206-684-8737 to discuss your concerns.

**What if I have questions or concerns?**

We encourage the property owners on the selected blocks to share feedback on the impact of the proposed design. SPU is committed to working with the community as we refine and finalize our proposed designs.

To share your questions or concerns, please contact SPU project manager Karen York at 206-684-5994 or [karen.york@seattle.gov](mailto:karen.york@seattle.gov).

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BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

In the Matter of the Appeals of:

**JEAN CHERBERG**  
**PATRICIA OHLENROTH**

from the Determination of Non-Significance by the  
Director, Department of Seattle Public Utilities.

) Hearing Examiner Files:

) W-09-001

) W-09-002

) AGREED DISMISSAL AND *PO*

*WITHDRAWAL*

1. The Department of Seattle Public Utilities (Department), through the Department's SEPA Responsible Official, has agreed to eliminate all improvements identified in the Determination of Non-Significance's (DNS) Description of Proposal from the 8300 block of 30<sup>th</sup> Ave. NW. Any future bioretention facilities installed on this block, which is not contemplated, would be subject to a new SEPA threshold determination.
2. Based on the Department's decision to not construct bioretention facilities on the 8300 block of 30<sup>th</sup> Ave. NW as identified in the DNS subject to appeal, Patricia Ohlenroth (Appellant) requests that her appeal be *withdrawn and* dismissed. This dismissal does not preclude the Appellant from filing an appeal of a new SEPA threshold determination that would be required to install any bioretention facilities on the 8300 block of 30<sup>th</sup> Ave. NW.

PATRICIA OHLENROTH

JOY KENISTON-LONGRIE

*Patricia Ohlenroth*

*Joy Keniston-Longrie*  
SEPA Responsible Official

Environmental Permitting and Interagency  
Coordination  
Seattle Public Utilities

10/26/09

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from the Determination of Non-Significance by the  
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) AGREED DISMISSAL AND

WITHDRAWAL *JK*

1. The Department of Seattle Public Utilities (Department), through the Department's SEPA Responsible Official, has agreed to eliminate all improvements identified in the Determination of Non-Significance's (DNS) Description of Proposal from the 8300 block of 30<sup>th</sup> Ave. NW. Any future bioretention facilities installed on this block, which is not contemplated, would be subject to a new SEPA threshold determination.
2. Based on the Department's decision to not construct bioretention facilities on the 8300 block of 30<sup>th</sup> Ave. NW as identified in the DNS subject to appeal, Jean Cherberg (Appellant) requests that her appeal be *withdrawn and JK* dismissed. This dismissal does not preclude the Appellant from filing an appeal of a new SEPA threshold determination that would be *withdrawal and JK* required to install any bioretention facilities on the 8300 block of 30<sup>th</sup> Ave. NW.

JEAN CHERBERG

JOY KENISTON-LONGRIE

*Jean Cherberg*  
10/26/09

*Joy Keniston-Longrie*  
SEPA Responsible Official  
Environmental Permitting and Interagency  
Coordination  
Seattle Public Utilities

**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Appeals of

**JEAN CHERBERG  
PATRICIA OHLENROTH**

Hearing Examiner Files:  
**W-09-001  
W-09-002**

from a Determination of Non-Significance  
by the Director, Department of Public Utilities  
regarding Ballard Roadside Raingardens Phase I

**ORDER OF  
DISMISSAL**

The Department of Seattle Public Utilities (Department) has agreed to eliminate all improvements identified in the Determination of Non-Significance (DNS) Description of Proposal from the 8300 block of 30<sup>th</sup> Avenue NW. Based on the Department's decision, appellants, Patricia Ohlenroth and Jean Cherberg requested that their appeals be withdrawn.

Pursuant to Hearing Examiner Rule 3.06, the matter should be, and hereby is, **DISMISSED**, and the hearing scheduled for October 27, 2009, is canceled.

Entered this 27<sup>th</sup> day of October, 2009.



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